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MAY 16 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

ROBERT H. SHEMWELL, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

LAFAYETTE DIVISION

UNITED STATES OF AMERICA, *ex rel.*,
RICKY BONIN

CIVIL ACTION NO. 05-1005

VERSUS

JUDGE DOHERTY

COMMUNITY CARE CENTER OF
ST. MARTINVILLE, LLC, ET AL.

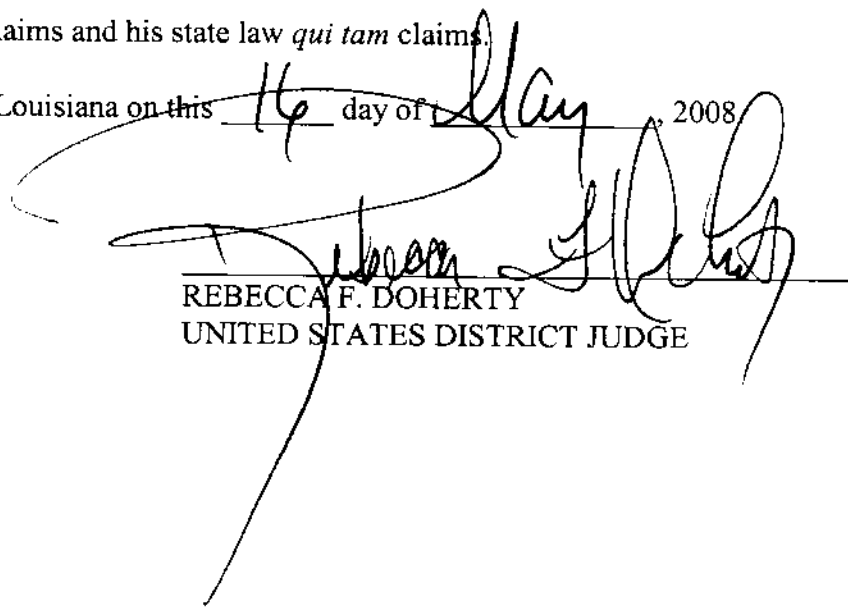
MAGISTRATE JUDGE METHVIN

ORDER

This matter was referred to Magistrate Judge Mildred E. Methvin for a Report and Recommendation. After an independent review of the record, the applicable law, and the objections filed by defendants, this Court concludes the Report and Recommendation of the magistrate judge is correct and this Court adopts the conclusions set forth therein.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the defendants' motion to dismiss is GRANTED IN PART solely with respect to plaintiff's FCA claims brought under the theory of "false certification," and that the motion in all other respects is DENIED, leaving intact plaintiff' FCA claims and his state law *qui tam* claims.

SIGNED at Lafayette, Louisiana on this 16 day of May, 2008


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE